

REMARKS

The CLAIMS ARE PATENTABLE OVER THE CITED REFERENCES

A. Claims 1-5, 8, 11-14 and 17

Claims 1-5, 8, 11-14 and 17 were rejected under 35 U.S.C. §103(a) based on a combination of Koorapaty et al., U.S. Patent No. 6,631,124 (“Koorapaty”), Odenwalder et al, U.S. Patent No. 6,804,220 (“Odenwalder”) and U.S. Patent No. 6,952,454 to Jalali et al (“Jalali”). Applicants respectfully disagree and traverse these rejections for at least the following reasons.

Neither Koorapaty, Odenwalder nor Jalali, taken separately or in combination, discloses or suggests the transmission of at least one transmission that comprises a number of contiguous sub-slots associated with at least two timeslots, and the transmission of a separate control channel for each transmission, where the duration of the separate control channel is dependent upon the number of transmitted sub-slots, as in claims 1-5, 8, 11-14 and 17.

In the Office Action the Examiner acknowledges that neither Koorapaty nor Jalali discloses such a separate control channel. To make up for this deficiency the Examiner relies on Odenwalder. Setting aside for present purposes the fact that the suggested combination of Koorapaty, Odenwalder and Jalali is impermissible because such a combination would require one or more of these references to change their principle of operation, the Applicants respectfully submit that Odenwalder does not make up for the deficiencies of Koorapaty or Jalali.

In Odenwalder, “primary” and “secondary” control channels are “consolidated” into one channel. The consolidated control channel includes CRC values that are used to determine the number of time slots occupied by an information packet in the consolidated control channel. There is no indication in Odenwalder that the length of a given, separate control channel (i.e.,

Odenwalder's consolidated channel) is dependent upon the number of subslots in a transmission channel. Instead, the length of Odenwalder's consolidated channel appears to depend on the number of timeslots, not subslots, in the control channel, not in a separate data transmission channel as claims 1-5, 8, 11-14 and 17 of the present invention.

Accordingly, Applicants respectfully request withdrawal of the rejections and allowance of claims 1-5, 8 and 11-14.

B. Claim 6

Claim 6 was rejected under 35 U.S.C. §103 (a) based on the combination of Koorapaty, Odenwalder and Toskala et al, U.S. Patent No. 6,535,503 ("Toskala"). Applicants respectfully disagree and traverse this rejection for at least the following reasons.

Applicants note that claim 6 depends on claim 1 and is therefore patentable over the combination of Koorapaty, Odenwalder and Toskala for the reasons set forth above with respect to claim 1 because Toskala does not overcome the deficiencies of Koorapaty and Odenwalder.

Accordingly, Applicants respectfully request withdrawal of the rejection and allowance of claim 6.

C. Claims 18 and 19

Claims 18-19 were rejected under 35 U.S.C. §103(a) based on the combination of Koorapaty, Odenwalder and Malkamaki et al., U.S. Patent No. 5,577,024 ("Malkamaki"). Applicants respectfully disagree and traverse these rejections for at the following reasons.

Applicants note that claims 18-19 depend on claim 1 and are, therefore, patentable over the combination Koorapaty, Odenwalder and Malkamaki for the reasons set forth above with respect to claim 1 because Malkamaki does not overcome the deficiencies of Koorapaty and Odenwalder.

Accordingly, Applicants respectfully request withdrawal of the rejections and allowance of claims 18 and 19.

D. Entry of Request for Reconsideration After Final Rejection

Entry of this Request for Reconsideration ("Request") is solicited because the Request: (a) places the application in condition for allowance for the reasons discussed herein; (b) does not raise any new issues requiring further search and/or consideration; (c) does not present any additional claims without canceling the corresponding number of finally rejected claims; and (d) places the application in better form for appeal, if an appeal is necessary.

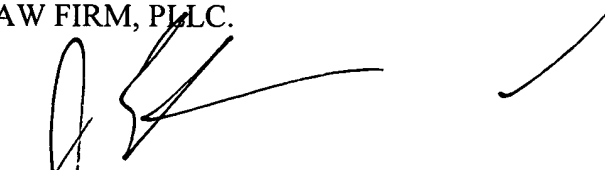
In the event this response does not place the present application in condition for allowance, Applicants request that the Examiner contact the undersigned at (703) 266-3330 to schedule a personal interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 50-3777 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

CAPITOL PATENT & TRADEMARK LAW FIRM, PLLC.

By



John E. Curtin, Reg. No. 37,602
P.O. Box 1995
Vienna, Virginia 22183
(703) 266-3330